

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: Chapter 11,

CORFU 77, CORP.

Case No. 20-11460 (MEW)

Debtor.

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**ORDER DENYING DEBTOR'S MOTION FOR (1) AN ORDER VACATING THE  
DENIAL OF THE SETTLEMENT BETWEEN THE DEBTOR AND LANDLORD, OR,  
IN THE ALTERNATIVE, (2) A SIXTY-DAY EXTENSION OF THE  
DEADLINE TO SURRENDER PREMISES**

Corfu 77, Corp. (the "**Debtor**") having filed a Motion on January 20, 2021 (the "**Motion**")<sup>1</sup> [Dkt. No. 41] seeking: (1) entry of an order vacating the decision to deny approval of the settlement reached between the Debtor and TD Bank, N.A. ("**TD Bank**") for reinstatement of the lease, or, in the alternative, (2) an order extending the deadline from February 1, 2021 through May 1, 2021 for surrender of the Debtor's leased premises of nonresidential real property to the Landlord; and TD Bank having filed Opposition to the Motion (the "**Opposition**") on January 25, 2021 [Dkt. No. 44]; and the Court having scheduled the Motion for hearing on January 27, 2021 (the "**Hearing**"); and Brian Hufnagel, Esq. having appeared at the Hearing for the Debtor and Leslie Ann Berkoff, Esq. having appeared at the Hearing for TD Bank, and based upon all prior proceedings and pleadings in this matter, and as set forth on the record at the Hearing; **IT IS NOW HEREBY**

**ORDERED**, that the Motion is hereby denied; and it is further

**ORDERED**, the terms of the Consent Order previously entered by this Court on December 22, 2020 [Dkt. No. 37], remain in full force and effect, and the Debtor must comply

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<sup>1</sup> All capitalized terms used, but not defined herein, shall have the meanings given to such terms in the Motion.

with all of the terms and provisions of the Consent Order and must surrender the Premises located at 1765 Crosby Avenue, Bronx NY to TD Bank, or its representatives, on or before February 1, 2021.

Dated: New York, New York  
January 28, 2021

**s/Michael E. Wiles**  
HON. MICHAEL E. WILES  
UNITED STATES BANKRUPTCY JUDGE